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HOUSE BILL 3  
43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998  
INTRODUCED BY

Rick Miera

AN ACT

RELATING TO EDUCATION; MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE.--This act may be cited as the "Education Appropriation Act".

Section 2. DEFINITIONS.--As used in the Education Appropriation Act:

A. "federal funds" means any payments made by the United States government to state government or agencies except those payments made in accordance with the federal Mineral Lands Leasing Act;

B. "general fund" means that fund created by Section 6-4-2 NMSA 1978 and includes federal Mineral Lands Leasing Act receipts, but excludes the general fund operating reserve, the appropriation contingency fund and the risk reserve; and

C. "other state funds" means:

(1) unencumbered nonreverting balances in state agency accounts, other than in internal service funds accounts, appropriated by the Education Appropriation Act;

(2) all revenue available to state agencies from sources other than the

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter- Agency Trnsf	Federal Funds	Total
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1 general fund, internal service funds, interagency transfers and federal funds; and

2 (3) all revenue, the use of which is restricted by statute or agreement.

3 Section 3. **FORMAT.** --The general format of the appropriations set forth in the Education  
4 Appropriation Act with respect to symbols used, column headings and amounts stated are those  
5 used in the General Appropriation Act of 1997.

6 Section 4. **APPROPRIATIONS.** --The appropriation for public school support in fiscal year  
7 1999 shall be:

8 **PUBLIC SCHOOL SUPPORT:**

9 (1) State equalization guarantee

distribution:	1, 257, 532. 3	1, 000. 0		1, 258, 532. 3
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11 (2) Transportation distributions:

(a) Operations	69, 529. 3			69, 529. 3
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(b) School-owned bus replacements	2, 197. 5			2, 197. 5
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(c) Contractor-owned bus rent fees	11, 958. 2			11, 958. 2
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Subtotal	83, 685. 0			83, 685. 0
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18 (3) Supplemental distributions:

(a) Out-of-state tuition	380. 0			380. 0
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(b) Emergency	800. 0			800. 0
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(c) Emergency capital outlay	950. 0			950. 0
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Subtotal	2, 130. 0			2, 130. 0
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23 The rate of distribution of the state equalization guarantee distribution shall be based  
24 on a program unit value determined by the superintendent of public instruction. The  
25 superintendent of public instruction shall establish a unit value twice; first, a preliminary

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter- Agency Trnsf	Federal Funds	Total
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unit value that shall be used to establish tentative budgets for the 1998-99 school year; and second, upon completion of final budgets or verification of the number of units statewide for fiscal year 1999, but no later than the third Tuesday in January the superintendent of public instruction may adjust the program unit value.

The general fund appropriation in Item (1) reflects the deduction of federal revenues pursuant to Paragraph (2) of Subsection C of Section 22-8-25 NMSA 1978 that includes payments commonly known as "impact aid funds" pursuant to 20 USCA 7701 et seq., formerly known as "PL874 funds".

The general fund appropriation to the public school fund shall be reduced by the amounts transferred to the public school fund from the current school fund and from the federal Mineral Lands Leasing Act (30 USCA 181, et seq.) receipts otherwise unappropriated.

Unexpended or unencumbered balances in the distributions authorized remaining at the end of fiscal year 1999 from appropriations made from the general fund shall revert to the general fund.

INSTRUCTIONAL MATERIAL FUND:	27,224.6	1,225.0		28,449.6
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The appropriation to the instructional material fund is made from the federal Mineral Lands Leasing Act (30 USCA 181, et seq.) receipts.

EDUCATIONAL TECHNOLOGY FUND:	4,400.0			4,400.0
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INCENTIVES FOR SCHOOL IMPROVEMENT FUND:	500.0			500.0
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TOTAL PUBLIC SCHOOL SUPPORT:	1,375,471.9	2,225.0		1,377,696.9
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ADULT BASIC EDUCATION FUND:	4,700.0		2,196.3	6,896.3
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STATE DEPARTMENT OF PUBLIC EDUCATION:

(1) Administration:

(a) Personal services	5,292.9	96.0	5.0	2,858.3	8,252.2
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. 120681.2

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
(b) Employee benefits	1,430.9	23.9		783.6	2,238.4
(c) In-state travel	282.2	2.3	5.0	168.2	457.7
(d) Maintenance and repairs	68.8	72.9		5.2	146.9
(e) Supplies and materials	76.2	54.8	29.8	126.3	287.1
(f) Contractual services	331.8	15.8		800.0	1,147.6
(g) Operating costs	354.7	26.5		645.3	1,026.5
(h) Other costs	0.1			155.3	155.4
(i) Capital outlay		93.3		97.3	190.6
(j) Out-of-state travel	15.0	0.7		55.7	71.4
(k) Other financing uses	2.4	0.3		152.0	154.7
Authorized FTE: 165.0 Permanent; 63.0 Term; .2 Temporary					
Subtotal	7,855.0	386.5	39.8	5,847.2	14,128.5

The appropriation to the state department of public education includes two hundred sixty thousand seven hundred dollars (\$260,700) from federal Mineral Lands Leasing Act (30 USCA 181, et seq.) receipts.

Unexpended or unencumbered balances in the state department of public education remaining at the end of fiscal year 1999 from appropriations made from the general fund shall not revert.

(2) Apprenticeship assistance:	600.0				600.0
(3) Regional education cooperatives:					
(a) Region 9		140.0		2,137.7	2,277.7
(b) High Plains		1,500.0		2,776.9	4,276.9
(c) Central		1,379.6		1,313.2	2,692.8

Section 5. SEVERABILITY. -- If any part or application of this act is held invalid, the remainder or its application to other situations or persons shall not be affected.



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**FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998**

January 28, 1998

**Mr. Speaker:**

Your EDUCATION COMMITTEE, to whom has been referred

HOUSE BILL 3

has had it under consideration and reports same with recommendation that it DO PASS,  
amended as follows:

1. On page 2, line 10, strike "1,257,532.3" and insert in lieu thereof "1,339,032.5".

2. On page 2, line 12, strike "69,529.3" and insert in lieu thereof "72,458.9".

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SECOND SESSION, 1998

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Page 7

- 1           3. On page 2, line 14, strike "2,197.5" and insert in lieu thereof "2,433.8".
- 2
- 3           4. On page 2, line 16, strike "11,958.2" and insert in lieu thereof "12,078.2".
- 4
- 5           5. On page 3, line 3, strike "the third Tuesday in".
- 6
- 7           6. On page 3, line 3, insert "31" after "January".
- 8
- 9           7. On page 3, between lines 4 and 5, insert:
- 10
- 11            "Included in the state equalization guarantee distribution are sufficient funds for a
- 12           statewide average seven percent increase for all public school employees."
- 13
- 14           8. On page 3, line 25, strike "5,292.9" and insert in lieu thereof "5,402.5".
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- 1           9. On page 4, line 1, strike "1,430.9" and insert in lieu thereof "1,462.0".

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- 10. On page 4, line 5, strike "331.8" and insert in lieu thereof "515.4".
- 11. On page 4, line 11, strike "165.0" and insert in lieu thereof "169.0".
- 12. On page 4, line 11, strike "63.0" and insert in lieu thereof "67.0".
- 13. On page 4, line 19, strike "600.0" and insert in lieu thereof "660.0".
- 14. On page 4, between lines 23 and 24, insert the following:

"SPECIAL APPROPRIATION:

The following special appropriations are made from the general fund to the state department of public education for expenditure in fiscal year 1999:

- (1) Capital outlay equity needs analysis 400.0

1	(2) School bus safety program	302.0	
2	(3) School to work		100.0
3	(4) World class teachers project		250.0
4	(5) Multitrack year-round schools		400.0
5	(6) Instructional Materials		410.0

6  
7 The general fund appropriation of four hundred thousand dollars (\$400,000) for a statewide  
8 capital outlay needs and equity analysis is to enable the public school capital outlay council  
9 to contract for a comprehensive analysis of statewide public school capital outlay and  
10 infrastructure needs and make recommendations to the legislature for an equitable and efficient  
11 method by which to meet those needs.

12  
13 The general fund appropriation of three hundred two thousand dollars (\$302,000) for the  
14 school bus safety program is for the purpose of inspecting school buses twice a year and for  
15 training costs associated with certifying school bus inspectors.

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The general fund appropriation of four hundred ten thousand dollars (\$410,000) for instructional materials is to fund an increase in the allocation for instructional materials when additional pupils are counted as six pupils. "

15. Adjust all totals and subtotals accordingly. ,

and thence referred to the APPROPRIATIONS AND FINANCE COMMITTEE.

The roll call vote on Amendments No. 8 through 12 was 11 For

1 Against

Yes: 11

No: Nicely

Excused: Garnenez

Absent: None

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Respectfully submitted,

\_\_\_\_\_  
Rick Miera, Chairman

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_

1 The roll call vote was 12 For 0 Against

2 Yes: 12

3 Excused: Garnenez

4 Absent: None

5

6

7 . 122000. 1

8 G: \BILLTEXT\BILLW\_98\H0003

1 **FORTY-THIRD LEGISLATURE**  
2 **SECOND SESSION, 1998**  
3  
4

5 **February 2, 1998**  
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7  
8 **Mr. Speaker:**  
9

10 **Your APPROPRIATIONS AND FINANCE COMMITTEE, to whom has been referred**  
11

12 **HOUSE BILLS 2, 3, as amended, 4, 6, as amended, 7, as amended, 8 and 13**  
13

14 **has had them under consideration and reports same with recommendation that they DO NOT**  
15 **PASS, but that**  
16

17 **HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR HOUSE BILLS**  
18 **2, 3, 4, 6, 7, 8 AND 13**

FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

HB2

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DO PASS.

Respectfully submitted,

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Max Coll, Chairman

FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

HB2

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1 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

2 (Chief Clerk)

(Chief Clerk)

3

4 Date \_\_\_\_\_

5

6 The roll call vote was 15 For 0 Against

7 Yes: 15

8 Excused: Bird, Buffett, Watchman

9 Absent: None

10

11 G: \BILLTEXT\BILLW\_98\H0003

1 **FORTY-THIRD LEGISLATURE**  
2 **SECOND SESSION, 1998**  
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4

5 **February 2, 1998**  
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7  
8 **Mr. Speaker:**  
9

10 **Your APPROPRIATIONS AND FINANCE COMMITTEE, to whom has been referred**  
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12 **HOUSE BILLS 2, 3, as amended, 4, 6, as amended, 7, as amended, 8 and 13**  
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17 **HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR HOUSE BILLS**  
18 **2, 3, 4, 6, 7, 8 AND 13**

FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

HB2

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DO PASS.

Respectfully submitted,

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Max Coll, Chairman

FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

HB2

Page 19

1 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

2 (Chief Clerk)

(Chief Clerk)

3

4 Date \_\_\_\_\_

5

6 The roll call vote was 15 For 0 Against

7 Yes: 15

8 Excused: Bird, Buffett, Watchman

9 Absent: None

10

11 G: \BILLTEXT\BILLW\_98\H0003